App.F.IX-4

1924-25 (Mur)

File No. 13-24

Serial Nos. 7 & 9

*Previous References*
60-26
611-20
107-23

*Later references.* 816-22
94-23
Mr 36-35 & 20 21

# GENERAL AND REVENUE SECRETARIAT.

---

*Serial Nos.* 7. 8. 9

**Part B for** 7 & 7. 26

---

SUBJECT

Absence of the Government Agent at Hammanthippu. Bangalow

---

No. 1055/Mur 13-24-9 & 16.2.26 to Mur-Com. Sending a petition of inhabitants of the Jaffna peninsula requesting that the lands belonging to the Tamil Government mentioned as house sites, the sale proceeds being utilised for repairs to tanks & wells & irrigation channels &c.

9.4.26

G. R. S. 11] 124

GENERAL AND REVENUE SECRETARIAT.

( Muzrai )

NOTES.

File No. 13/1924

FILE HEADING.

Disposal of the inam lands in Hanumanthapura Village, Bangalore Taluk, belonging to Goshuriah matt at Bangalore city.

From

The Muzrai Commissioner,

No. C. 668 Dated 8-1-1926 Received

Diary No. 783 Enclos. 1 file Spare Copies. - Serial No. 7

BRIEF ABSTRACT OF LETTER.

Reports that the actual extent of matt lands encroached upon by the alienees, cannot be determined on account of irregular buildings erected thereon, and recommending for sanction, the Dy. Comrs. proposal to convert the

NOTES AND ORDERS.

lands into building sites, and to sell them, the proceeds being invested for the benefit of the institution.

The Dy. Comr proposes that a penalty of Rs 1000/- per acre.

NOTES—First Sheet.

Serial No

may be paid to Govt for appropriating the agricultural land into building sites - As regards the lessees the Mag Commr suggests that either they may buy up full ownership rights for a price based on the rates realized for the rest of the area or these bits may remain as Mall property till the leases run out. Submitted for orders

The 50 year leases
AD
20-1-1938 have been just confirmed and may be allowed to run out. The bits of lands will then be the property of the Mall. As for the propriety of a penalty of 1000 Rs per acre for converting agl. land into building sites the proposal of the DJ Commr may be sanctd.

The Mag Commr may also be asked to state whether Rs 300 rptd to be for order 20806-J/mem 13-24-1 & 29-11-24 has been received for siddapa & credited to the Mall Funds, if not & such long action in the matter -

Rev. Secy.

20/1/25.

20/1

Contn. Sheet

G.R.S. III-2]

File No. of 19

Serial No.

NOTE—Contn. Sheet)

P 783 3

App. F. III—2

and Revenue Secretariat

Mus File No. 3 of 192

Serial No

question whether a fine under section 63 of the L.R code was leviable from the client was raised in 1917, but it was not then decided. The Mysg Commr was asked to make a separate reference on this matter. Vide. Hy T. - If as the report shows there is advantage to the state in having the land converted into building sites and sold out as such the question may be favourably considered. But an estimate of the amount realizable from the arrangement shd be framed and submitted by the Mysg Commr. The proposals now made are not sufficiently clear in this respect. Whether the lessees would be agreeable to purchase the site outright may also be ascertained.

(1st member)

h
21/1/16

570
21.1.16

I would respectfully suggest that the matter be referred to the Dy Comrs. The Taluk Amildars may be asked demographically whether they can frame a convenient scheme for the auction sale of lands in the vicinity of Bangalore (not 8 miles)

h
23/1

28 Mch
h

Note—Contn. Sheet

App. F. III—2]

WD 0569—GPB—40,000—31-7-25

File No. of 192

General and Revenue Secretariat

Serial No.

NOTE—Contn. Sheet

WD 01264 –GPB –40,000– 17-12-25

(4.

General and Revenue Secretariat

App. F. III—2]

Mus File No. 13 of 1926

Serial No.

D/- D or ~~Secretary~~ & the UC & DC are Sub of appl.

AL 26.1.26. for approval.

26.1.26

Rev. Sec'y 26/1

Issue 27.1.26

~~7~~

8. To. the Mus Comm.

D.O.No 948 of 27.1.26.

States that the 1st member of Council wishes to inspect the lands & the Matt ee Company with the Mus. Comm & the Dy Comm. on Tuesday the 2nd Feb '26 and requests to be informed whether he can meet the Member that day.

No 949 of 27.1.26. To. Dy Comm.

Forwards Copy of the above for info & for a reply as regards his Convenience.

Both the Mus. Comr and the Dy. Comr find it Convenient to meet the member on Tuesday the 2d February for the inspection of the Godhumiah matt. Comd..

Submitted

AL 29.1.26. 29.1.26

1st member 29/1

NOTE—Contn Sheet

Serial No.

I put up herewith a copy of my note of inspection of the Mall & the lands in question

A draft letter to the Municipal Commr may be put up sending him a copy of the note, & asking him to take the necessary action, in consultation with the Municipal Commr of Bombay if need be, on the matters mentioned in the note, & to submit a report of the action taken by the end of April next.

D/s Secretary for approval.

Rev. Secy

1st member

1958
6.2.26

9 To, Municipal Commr No 1055 dy 16.2.26
Forwards copy of the Note of inspection by the 1st Asst of the Mall & the Lands & requests him to take further action in the matter & calls for report of action taken by the end of April 26

NOTE—Contn. Sheet

29310

of C668 of 23-4 are in one file

Office of the Muzrai Commissioner In Mysore,

Dated Bangalore the 5th January 1926.

8

Muz.D No. 783

Muz 13-24-7

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzrai Commissioner In Mysore, BANGALORE.

To

B. Sreenivasa Iyengar, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Revenue Department.

Sir,

With reference to your letter No. 863/Muz.13-24-6 dated the 11th December 1924 calling for a report (9) regarding the encroachments on the land endowed to Godhuriah Mutt at Bangalore City, I have the honor to forward herewith copy of letter No.C.3.O&C.1417/23-24 dated the 14th November 1925 received (K) from the Deputy Commissioner Bangalore District stating that it is difficult to say exactly the actual area encroached upon by the alienees as the buildings thereon are irregular and as there are intervening spaces between them.

He suggests that as the land is unfit for cultivation being in the heart of the town , it may be appropriated for building purposes paying to Government a sum of Rs.1,000/- per acre as penalty for converting the agricultural land into building sites.and proposed that the rest of the money may be invested in Government securities for the benefit of the institution or a cash grant might be given. I agree with the Deputy Commissioner's proposals and beg to recommend that they may be sanctioned. The fifty year lessees might buy up full ownership rights for a price based on the rates realized for the rest of the area or those bits may remain the property of the institution till the leases run out.

Enclosures received with the Deputy Commissioner's letter are herewith submitted for perusal and kind return.

I have the honor to be,

Sir,

your most obedient servant,

C S Balasundaram Iyer

Muzrai Commissioner.

BR.

Letter No. C.S.O.C.1417/23-24 dated the 14th November 1925 from the Deputy Commissioner , Bangalore District to the Muzrai Commissioner In Mysore, Bangalore.

With reference to your letter No. C. 668/23-24 and in continuation of this office No. O.C.1417/23-24 dated 30th June 1924 Re: the encroachments on the lamd endowed to Godhuriah's Mutt at Bangalore City, I have the honor to state as follows:-

2.

2.The Mutt in question is a Muzrai Institution endowed with the marginally noted Inam Lands for support of the institution at Hanumanthapur village in the Bangalore Taluk. Pattah to Indappa and some others having unauthorizedly raised buildings on about 11 guntas out of the said survey Numbersx Government directed in their Order No. 1311-3 dated 3rd September 1907 the resumption of the said lands to the institution. On further correspondence, the Deputy Commissioner's proposals that the tenabts might be allowed to continue in possession therefor for a period of 50 years on payment of an annual ground rent of Rs.30/- and arrears at Rs,26/- per annum, was sanctioned in Government Order No.1190-91Muz.604-16 dated 23rd November 1927 with the direction that the income should be made over to the Matt Agent for the services and other requirements of in the Mutt.

| | Extent. | Assessment. |
|---|---|---|
| Re. S. No.13. | 2-17 Garden. | |
| | 3- 3 Dry | |
| | 1-22 Kharab. | |
| | 7-42 | Rs. 22/4 |
| | Jodi Rs.5-12-0 | |

The present occupants Thimmarayarayappa and others having refused to execute Mutchilika according to the terms of Government Order of 1917 and also tp pay arrears due from 1891, their summary eviction was ordered in Government proceedings No. 2835 Muz.611-20 dated 5th December 1921.

On the recommendation of the Muzrai Commissioner, Government in their Order No.806-7 Muz.13-24-4 dated the 29th November 1924 directed that no steps need betaken for the evdction of the tenents from the lands as they have paid up the arrears of the ground rent in full i. e. Rs.856/-) till the end of 1922-23 and have agreed to execute the mutchalika as Per G.O. of 1917 and that they may be allowed to continue in the lease of the land for a period of 30 years.and the lease being taken to begin from 1917-18.

3.

3. The Amildar in submitting the sketch, showing the enti e the portion measuring 11 guntas and the excess land said to ha be encroached upon, reports that it is difficult to say exactly what is the actual area occupied by buildings as buildings themselves are irre lar and there are intervening spaces, that Pattadi Thimmrayappa's portio alone is about 14 guntas as per Sheikdar's report, that the 11 guntas referred to in the records represents probably what it was when the records was started, that in the southern portion of the land there are irregular buildings, that there are more than 80 huts, occupied by gang goolies of the Municipality, and that they pay a rent of 4 to 6 annas pe month to owners of the land, that one of the alinees, Yellappa has built a latrine newly for the use of the coolies at the sug-gestion of the Municipality, that S.No.12 on the west of this No. has also been built upon, that there being no stones at present dividing that No. from S. No 13 it is very difficult to say whether and how far that man has encroached upon this number, that the northern portion of the land is also uncultivated and is in possession of the particular Siddayya, who was also allowed some huts to be put up and is alleged to be recovering rents from the coolies.

4. The Inam Land is an agricultural Inam and was once dry and garden land but latterly on acc unt of the congested conditions prevailing in the City it has been possible to derive any agricultural benefit out of the land, which is centrally situated near the Theatre Majestic, in the heart of the city. The huts on the land are an eye sore and on account the whole locality has become unsightly. The land situated as it is, in the heart of the City, is very valuable as building land. The income to the institution is very mea re and the Mutt or temple is in a very miserable condition.

5. The Amildar suggests that the proposal might be considered with advantage in the interest of all concerned -- the institution, the Government and the alienees -- to resume the land and a cash grant to the Institution, and convert and sell the land as building sites and adds that out of the proceeds, a sum of Rs.1,000/- per acre, representing the special fine for conversion of Agricultural land to building purposes might be credited to Government and the rest of the money invested in Government Securities for benefot of the institution or a cash grant might be given and that in dealing with the disposal

the land or permanent building rights sold to them for a fair price. I agree with the Amildar that the Institution will stand to gain under this arrangement. If the suggestion is approved detailed proposals for lay out of the land and its disposal will be formulated and submitted for sanction.

6. As regards the recovery of the amount received by the Pujari the Amildar has been asked to take early action.

7. The file of papers ending with Bangalore Sub-Division Officer's No. H.C.682/24-25 dated 1st October 1925 is submitted herewith.

" C O P Y "

for Muzrai Commissioner.

BR.

D.O No. 9485

27/1/26

Mar 13-24-8

Dear Sir,

Adverting to ...your... letter No. C.668 of 1923-24 dated 8-1-1926 recommending for sanction the Bangalore Dy.Commr's. proposal to convert into building sites, the Inam lands in Hanumanthapur village, Bangalore Taluk, belonging to Godboriah's Mutt at Bangalore &c., I am desired to state that the First Member of Council wishes to inspect the land as also the Mutt in company with you and the Deputy Commissioner.

I am to request you to let me know very early whether you can find it convenient to join the Member of Council in connection with the visit for inspection ~~of the land~~ on the morning of Tuesday the 2nd February (between 8 and 9 A.M.)

~~The favour of a very early reply is requested.~~

Yours sincerely,

26/1

27.1.26

26-1-26

To

B. Ramaswamaiya, Esq., B.A., B.L.,
Muz. Commissioner in Mysore.

Memo No. 9492 D 27/1/26

Copy to the Dy Commr

Bangalore for info & necy

as regards his convenience

- 87-26

Deputy Commissioner's Office,

Bangalore, 27th January 1926.

Dear Mr.Srinivasa Iyengar,

With reference to your No.949/Muz.13-24 dated 27th January 1926, regarding the inspection of the Inam lands in Hanumanthapur village, Bangalore Taluk, belonging to Godhuriah's Mutt, by the First Member of Council on the 2nd February 1926(between 8 and 9 A.M.) I write to state that the date and time of inspection will suit me.

Yours Sincerely,

B. Venkatarao

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department,
Bangalore.

GEN. & REV. SECRETARIAT
29 JAN 1926
MUZRAI

D.C.No. 668 7214

Muzrai

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE.

*Bangalore..28th..January.....192 6.*

Dear Sir,

In reply to your D.C.No.948/Muz.13-24 dated the 27th January 1926, I write to say that I shall meet the Member of Council on Tuesday the 2nd February 1926 between 8 and 9 A.M. as ------ desired, in connection with the inspection of the land belonging to Godhuriah Matt in Bangalore City.

Yours sincerely,

To

786
29/26.

G.R.S. III—3]

## Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

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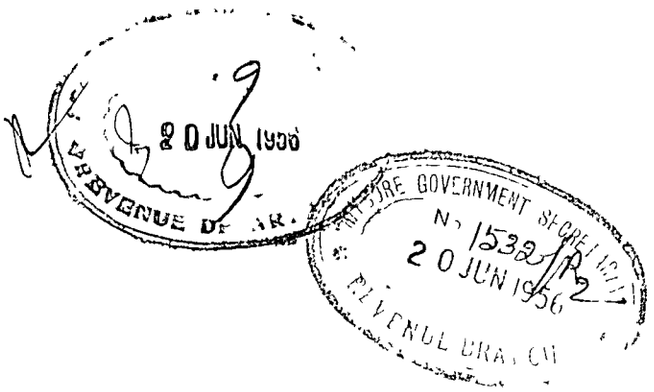
*B* Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.




To

THE HON'BLE MINISTER FOR REVENUE & MUZRAI,
Government of Mysore,
B A N G A L O R E.

PETITIONERS:-

Veerasaiva Community Members
Members belonging to Godhuriah
Mutt, Bangalore.

Sir,

The petitioners beg to state as follows:

1. There is one Goduraiya Mutt by the side of the Purnaiya&s Choultry in Thulasi Thotam Lane, Bangalore 2. This is otherwise called as KALMATA. This is a Muzrai Institution endowed with Inam lands S.No.13 measuring 7 acres and 10 guntas in extent in Hanumanthapura village, Kasaba Hobli, Bangalore North Taluk. There is a Nanjundeswara Swamy Temple and there is a Gaddige of Goduraiya in the Inam lands and the mantapas around it for the use of the pilgrims. The Deities in the matta and the Gaddige was worshipped by Andanappa, Siddalingiah and Siddaiya, residing in the Mutt. After the death of Siddiya ~~one~~, one Veerabhadraiya, the adopted son of Siddiya was worshipping the deities in the Mutt as well as the Gaddige and the registry of the Archakship and Vahivatadar was made in his name. And it is learnt now that the Dame Archaka is worshipping the Gaddige alone and the Puja of Nanjundeswara and other deities in the Mutt is not being conducted.

2. The some portion of the Mutta in the ~~Thulasim~~ Thulasithotam lane and the Mantapas in the lands were let out for rent and the rent was being collected by Pujari

Pujari Siddiya. In the year 1938 and onwards, the Mutta as well as the Inam lands were taken out under Government management. The scale was fixed. Veerabhadraiah adopted son of Siddiya ~~were~~ was appointed as Archaka to perform the Puja of Nanjundeswara and other deities in the Mutt and Gaddige in the Inam lands. The rent from the tenants of the mantapas is collected by the Government and credited to the Muzrai Funds and the rent from the occupants of the Mutta were not being collected. The reasons for this is not known. This is a loss to the Institution. No action has been taken by the Government so far, till now for the recovery of the rent in the Mutt.

3. INAM LANDS.

Survey No.13 of Hanumanthapura village, dry, 7 acres and 11 guntas of land was the Inam land endowed to this Mutt out of this as detailed below lands were acquired by the City Municipality for Gandhinagar Extension and roads and certain other areas has been disposed of by Government.

| | Acres. | Guntas. |
|---|---|---|
| Acquired for City Municipality. | 1 | 5½ |
| For Gandhi Nagar. | 4 | 25 |
| Permanently disposed of to Sri Rama Chandriah. | 0 | 2 |
| Occupied by Gaddige and Mantapas. | 0 | 8 |
| | 6 | ½ |

Out of the remaining one acre and 10½ guntas of land, Government have disposed of 11 guntas of land for 50 years lease in their Government Order of 1917. The balance area that has to be is 39 guntas, out of 39 guntas, 0-37 guntas has been unauthorisedly occupied by Syed Mustafa and Syed Hussain and two guntas (0-2) by Sri C.V.Narasimha Iyengar.

As regards to this encroachments the enquiry ~~was taken~~ took place many times by the several officers ~~and~~ but to no effect. I learnt, that the Special Muzrai Officer and Additional Sub Division Officer Mr. Chinna Reddy has investigated the case and submitted recommendation to the Government for the

for the grant of this land to Syed Mustafa, Syed Hussain on an upset price of Rs.10/- per Sq. Yard and Rs.20/- for 0-2 guntas occupied by C.V.Narasimha Iyengar and the records are pending disposal- In this connection, I beg to submit as follows:-

4 (a) Syed Hussain and Syed Mustafa are contesting in the case of Mutta properties as defendants. The said defendants have produced some documents of 1849 and 1864 stating that they have purchased the bits of lands from Sri Murigappa, son of Yellappa and another from Sri Manjamma. In the year 1890 Sri Y ellappa was alive and he has contested as a party in the District Court of Nandidoorg Division. As such, the sale deed stated to have got executed by the present occupants in the year 1849 from Muniyappa, son of Yellappa is beyond truth. If these people had any right as stated by them in their statement on 9-9-1944 they would have in one or other places would have expressed their right or ownership. The document produced is stated to have been executed by one Kalyanappa. Inthe Original Survey Accounts, it is stated Andanappa as Kardadar (ಕಾರ್ದಾರ್) of the Goduriya Mutt. It is ~~however~~ never heard of in Geneological tree of Goduriah Mata Vahivatdar. It is only an after thought ~~plan~~ and so produced the documents ~~document~~ are got up one and proper enquiry has not been done as to find out the truth of this~~e~~ document.

If the present defendants Syed Hussain and Syed Mustafa had realy purchased so long back as 1849 and if they and their ancestors are really in possession the same would have been noticed by one or the other officers, since a number of officers have inspected the land. Since these lands were acquired by the Municipality they would have contested for compensation amount which amounts to Rs.65,000/- which is not an ordinary amount to let loose. 37 guntas of land stated to have been in their possession

possession from very very long time is baseless. The enquiry officer has not thoroughly investigated the right. before submitting his recommendation and as such the same should be repeated

(b) On 28th June 1926, the Health Officer, City Municipality has addressed the Muzrai authorities pointing out that some unauthorised constructions is taken place in the lands of Goduriah Mutt. They have not taken any legal action to stop it and encouraged the bad elements. They have made the Government to loose Revenue like conversion fines, etc. They have also further allowed to construct mosque building in such a place without proper enquiry, as I learn, The Special Officer has not touched this point in his judgment.

(c) By the side of this place there is open place. It is stated to be measuring 15 guntas. In this hay carts are collected. The fee for each cart is Rs.2/-. Daily 30 or 40 carts arecoming and the collection will be about Rs.80/- per day and it works out about 2500 per month. This is being collected by Syed Mustafa and Syed Hussain. The Enquiry Officer has not at all enquired about this aspect. The institution is incurring greater loss from this. If this land is put into auction there will be lakhs of rupees income to the institution andthe petitioner is prepared to take it for Rs.2,000/- as lease per year if granted.

(d) Two guntas of land is unauthorisedly enjoyed by Sri C.V.Narasimha Iyengar. This must be enquired into and legal action may be taken.

(e) The Special Officer has fixed the value at an upset price at Rs. 5, 10 and 20 per sqr. yard. The Municipality has acquired for Rs.45/- per Squire Yard in the year 1952. Even though the Enquiry Officer is aware of this fact, he has fixed the low price. If this land is given to the petitioner, he is prepared to purchase it for Rs.50/- per Sq. Yard and if put it into auction and it will fetch mofe value to the institution.

5. On the whole, the institution is incurring greater loss by these unauthorised occupations, mis-use of Mutt properties and non.recovery of rents from the tenants of the Mutt in Thulasi Thotam Lane, and stoppage of ~~workshop~~ worship to Nanjundeswara Swamy and other deities. The object for which the Inam was granted has not been fulfilled.

6. Under the circumstances narrated above, the petitioner respectfully prays that:~~n~~--

(a) the matter may be re-enquired into to find out the truth since the lands are situated in the heart of the City and most valuable and fetches more value to the institution and to direct the persons from occupying unauthorisedly.

(b) pending re-enquiry, the whole encroached portions may be taken over by the Government and a Receiver may be appointed to collect the income and credit the amounts collected thus to Muzrai Funds.

(c) also the rents of the Mutt in Thulasi Thotam Lane, may also be recovered and credited to the Muzarai head.

(d) Proper arrangements may be ordered to be made for the conduct of the Pujas of Nanjundeswara and other deities in the Mutt behind the Purniah Choultry in Thulasi Thotam Lane.

Yours faithfully,

PETITIONERS

P. Venkatarama B

Copy is submitted to the Muzrai Commissioner in Mysore, Bangalore, for taking needful action in the matter without any delay.

Bangalore,
Dated 18th ~~May~~ June 1956.

PETITIONERS

Kari Basavaiah

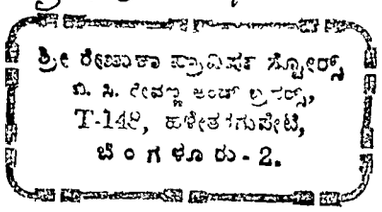
B. R. Thimmappa

N. Siddappa

P.T.O.

A. M. Siddavanahalli

S. Ummapanahalli




T. R. Srinivas

Neelkund
old Thorium
B. Ty.

G. V. Subbarayappa

ಬಿ.ಎನ್. ಶಾಂಭುಲಿಂಗಪ್ಪ

B. N. Shambulingappa.

ಕೆ. ಚಂದ್ರಶೇಖರಪ್ಪ

M. R. Channa Veerappa

M. C. Ranganath

D. Revanasiddappa

M.C.27/54-5.

Office of the Additional Sub Division Officer, & Special Muzrai Officer, Bangalore Sub Division, Bangalore, Dated 31st December 1954.

To

The Deputy Commissioner,
Bangalore District,
Bangalore.

C.17413

Sir,

In continuation of no.14/52-3 dated 20-9-1954, I have the honour to state that I have already submitted a detail report with my findings on the enquiry of Goduriah mutt, action has to be taken regarding the framing of a permanent scale, and Temporary scale has already been sanctioned.

I have no other remarks to offer in this case.

Yours faithfully,

Additional Sub Division Officer,
& Special Muzrai Officer,
Bangalore Sub Division.

SECRETARY TO GOVERNMENT NO. 29 OCT 1954 REVENUE DEPARTMENT
GOVERNMENT OF MYSORE 30 OCT 51

To

The Secretary,

Revenue Secretariat, Government of Mysore,

Bangalore

Respected Sir,

The undersigned petitioners beg to state as follows in connection with the affairs of Sri Godu~~rayana~~iah Mutt a Muzrai Institution situated in Subedar Chatram Road, Bangalore, which is in the heart of the City(Just near Himalaya Talkies)

Survey No,13 of Hanumanthapur village, Dry acre 7-11 guntas of land was the Inam land endowed to this mutt. Out of this as detailed below lands were acquired by City Municipality for Gandhi Nagar extension and roads and certain other areas have been disposed of by Government

| | | |
|---|---|---|
| Acquired by City Municipality | A.1 - 5 1/2 G | |
| do for Gandhi Nagar | 4 - 25 G | A5-30 ~~1/2~~ |
| Permanently disposed to Sri Ramachandriah by Govt | | 0- 2 G |
| Land area occupied by the Mutt building | | 0- 8 G |
| | Total | A.6- 1/2 G |

Out of remaining one acre and 10 1/2 guntas of land, Government have disposed of 11 ~~1/2~~ guntas of land for 50 years lease in their G.O.Number 1917. The balance area that has to be is 39 guntas.

The above said 11 ~~1/2~~ guntas of land was leased by Sri Kalyanappa to some agriculturists. On this the latter Vahivatdar Sri Siddiah filed a suit No.31 of 1890 in the District Court of Nandidurga Division. In this suit Sjts Dooda Muniyappa (2) Yellappa (3) Govindappa are the defendants as lessees. After enquiry it has been ordered that the defendants are only the lessees and they must pay gutta to the Institution.

Subsequently there was again an enquiry on the said lease area of 11 guntas. After elaborate enquiry Government in their order No 1190-91/Muz.60-4-16-2 dated 23/11/1917, have ordered for 50 years lease the said 11 guntas of land on an annual gutta of Rs.30/-. The mutchalika executed as per the said Government order clears the conditions on which the land was leased out.Anything done in contrary to these mutchalikas will mean the lessees liable to

punishment. According to this Government order Sjts Pattadi Govindappa (2)Sri Yellappa (3) Jakappa (3) Syed Davood (5) Muniyamma Sri Chotu are the lessees. It is a question for consideration how new people entered as lessees.

Sri Syed Ismail and his sons Syed Hussain and Syed Mustafa are contesting in the case of the Mutt properties as defendants. The said defendants have produced some documents as of 1849 and 1864 stating that they have purchased the bits of lands from Sri Muniyappa son of Yellappa and another from Sri Muniyamma. In the year 1890 Sri Yellappa was alive and he has contested as party in the District court of Nandidurg Division.As such the sale deed stated to have been got executed in favour of the present defendants in the year 1849 from Muniyappa son of Yellappa is beyond truth. If these people had any right as stated by them in their statement on 9/9/1944, they would have in one or other places would have expressed their right or ownership. It is only an after thought plan and the so produced documents are forged one. Exce about this 11 guntas till 1938-39 they have not spoken anything about their right with other lands. In these circumstances the genuiness of the documents are not enquired. As they are not genuine ones with much interest in the defendants enquiry has been done. Legal proceedings should be instituted against them for forged action

These defendants and others are enjoying 39 1/2 guntas of land unauthorisedly over and above 11 guntas of land leased out by Government. Out of this 39 1/2 guntas, two guntas is enjoyed by Sri C.V.Narasimha Iyengar and the rest 37 1/2 guntas by Syed Mustafa and Syed Hussain. The encroachment of two guntas by Sri C.V.Narasimha Iyengar has been noticed in the year 1940. If the present defendants Syed Hussain and Mustafa had really purchased 3 acres and 23 1/2 guntas of land so long back as 1849 and if they or their ancestors were really in possession would have been noticed by one or the other officers since number of officers have inspected the land.Since these lands were acquired by the Municipality they could have contested for

the compensation amount which amounts to Rs. 65000/- and odd which is not an ordinary amount to let loose. Thirty seven and half guntas of land stated to be in their possession from a very very long time is baseless. The enquiry officer has not gone to the - fundamental truth of rights. He has hushed up the real truth. He wanted to favour the defendants and so he has not entered to make the real truth which was before him.

On 28th June 1926, the Health Officer, City Municipality has addressed the Nuzrai authorities that some unauthorised construction is taken up in the lands of Sri Sodoruli Mutt. They have not taken any legal action to stop it. Thereby they have shown the least interest in the affairs of the Institution and encouraged the bad elements. They have made the Government to loose revenue like conversion fine etc. They have also further allowed to construct mosque building in such a place without the order of the Government. It may be deeply considered now they have viewed the strength of the Government. For such things they deserve punishment under criminal law. The enquiry officer has least talked off in the - judgment about this. The builders are deceiving the public as well as Government as School building. The very sign of the building will give the picture of a Mosque. By some C.I.D. it may be made out.

By the side of this there is an open space. It is stated to be measuring 15 guntas. In this day carts collect. Daily 30 to 50 Car come. On this tax of Re.2/- per cart is also collected by Syed Mustafa and Syed Hussain. Average number of carts that collect in this stand is about 40 carts. At Rs.2/- per cart it will be about Rs. 80/- per day. At this rate per day i.e. Rs. 2400/- per month and Rs.28800/- per year. The probable income that these brothers have derived from this Hullu Chatram taking 20 years as probable period they have enjoyed it works out to Rs. 576000/ This income has not only added to their capital and has also indirectly helped them to turn people towards their side and to prolong the case.

The enquiry officer has not at all enquired about this asp

He has stated that it fetches thousands of rupees income to the Institution if it is leased out. Even he has come to know that it fetches thousands of rupees, he has taken a turn from the most important poi. The Income collected by the defendants heitherto without permission should be ordered to be recovered as arrears of land revenue. Orders should also be passed to take suitable action against such of the officers who have failed to discharge their duties in time .

Syed Mustafa brothers should be evicted immediately from the land of 37½guntas which they are enjoying unauthorisedly. As stated above they must be ordered to pay over to the Institution the income they have derived. Criminal proceedings should be launched against them for their formed action. Interium orders should be issued at once to collect taxes on Hullu Chatram by the Government Agency, prohibiting their entry into it.

Lastly two guntas of land is unauthorisedly enjoyed by Sri C.V. Narasimha Iyengar. The enquiry officer has stated in the report that valuable buildings are erected etc. Though the enquiry officer has inspected the spot he has not written the correct position.The Takarardar is enjoying the land as Kitchen, Garden. It may be satisfied by inspection. The Takarardar has enjoyed the usufruct fro, 1940. Since then proper compensation should be recovered and evicted from the land.

The Enquiry officer has recommended this land to Syed Mustafa brothers and Sri C.V.Narasimha Iyengar on an upset price of Rs.10/- and 15/- per Syd. The City corporation have acquired land very recently in the year 1952 or so for which they have awarded at the rate of Rs.45/- per Syd. Even though the enquiry officer is aware of this fact, it is surprising thing to the community people to know the opinion furnished at Rs.10/- and 15/- per syd.

As regards 11 ~~12~~ guntas of land leased out for 50 years as per Government order 1917, the lessees should be evicted after completion of the lease p riod and the property restored to the mutt.

We once again pray justice in the hands of the present Government,

Thanking you in the meanwhile

Bangalore City )
October 54 )

Yours faithfully

N. Siddappa
N. Rudramuniyappa
B. R. Hombappa

1161

R. [illegible]

4 NOV 54

Jr. 113402

Forwarded to the Dep -
District for disposal.

over

By or
SR. Lunn
for Rev Secy

11/11

GL6364

Copy submitted to the Surveyor Commissioner
in Mysore, Bangalore in response to Memo
No H1-741/52-55 dt 4.4.55 for favour of
perusal

Received
16/4/55

Assistant
Bangalore Municipality

(F. VI.-Gl.]

ECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 192

Date of issue 16/2/26

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section Genl

File No. 13-24

Seria No.

No. 1055 Genl

A.S. Office

To The Hon. Com.

Sir,

Adverting to correspondence ending with your letter No. C. 668 dt 8th January 1926, recommending the Dy. Com's. proposal to convert into building sites, the vacant lands in Hanumantapura village, Bangalore Taluk, belonging to Sodhi Dials Math at Bangalore city, I am directed to forward herewith a copy of the note of the Hon'ble

over

WD 0562—GPB—31,000—17-8-25

of the merits of the lands in
~~by 3 2 1926~~ by the First
Member of Council of the
~~Natt~~ and the lands in
~~question~~, and to request
that you will be so good
as to take the necessary
action, in consultation with
the Dy. Commr. of Bengalore and the ag
also persons interested in the matter
~~if necessary~~, on the lines
mentioned in the note,
and to submit a report
of the action taken by the
end of April next.
(2) The records are
sent for perusal & return.

I have &c.

5/2 Secretary.

5/2/26

NOTE BY THE FIRST MEMBER OF COUNCIL.

---:0:---

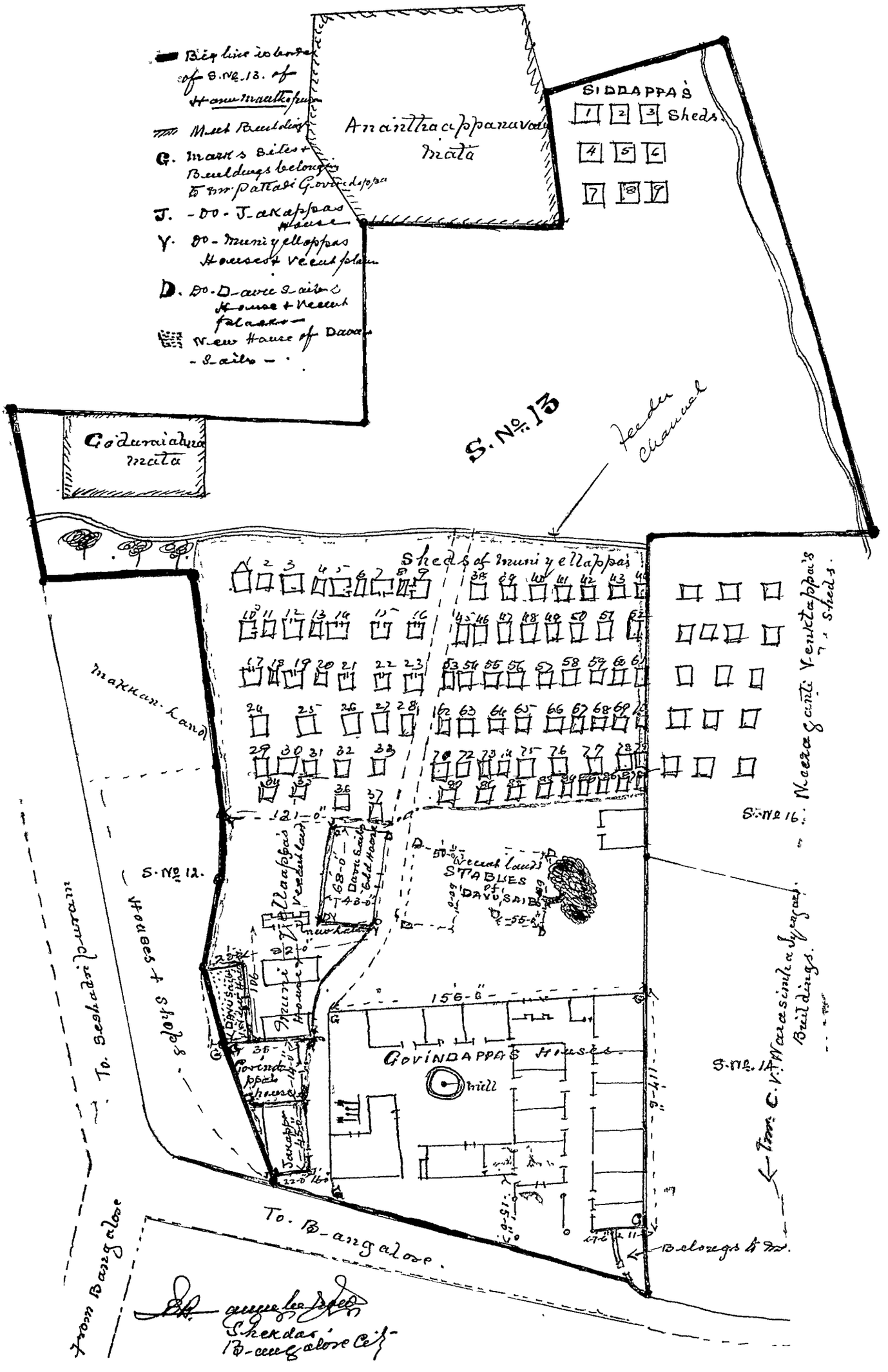
I inspected the land in question this morning with the Muzrai Commissioner, the Deputy Commissioner, and the Taluk Amildar. I found that a good number of pucca buildings have been constructed on the land and that a large number of temporary huts or sheds have also been put on it which are occupied by the Municipal gang coolies and others. No portion of the S. number is cultivated or used for agricultural purposes. It would -- appear that a ground rent ranging from 4 annas onward per month for each shed is being recovered from the occupants thereof either by Siddiah, the Pujari in the Mutt or Thimmarayappa, Yelappa and others to whom portions of the land have been leased out by Pujari Siddiah. The City Municipality has laid out a road on the land running from north to south and it was stated that this portion was acquired by the Municipality and from the compensation amount awarded therefor a piece of land has been purchased in the Magadi Taluk and given over to the Mutt.

The Godhuriana Mutt for the upkeep of which the land has been given as inam is also situated on the land itself and the building is more or less in a dilapidated condition. The service performed in the Mutt seems to consist only of puja to a Gaddige or Samadhi situate in a Mantap about 10 feet square, -- performed by one Siddiah who claims the Pujarishipp as a hereditary office and he and his ancestors seem to have treated the land as their own private property and unauthorisedly alienated portions of it as they pleased and appropriated the proceeds for their own use.

The land being situated almost in the heart of the Bangalore City and being surrounded by dwelling houses on all sides in -- addition to some pucca buildings on the land itself is quite unsuited for agricultural purposes. In this circumstance and in

view of the fact that the land is being split up into small lots and sold or otherwise alienated for non-agricultural purposes by the Pujari at his pleasure and without proper authorization, -- thereby defeating the object of the inam, I consider that the best thing to do is to sanction, in the Revenue Department, the appropriation of the land for building purposes, on recovery of a suitable fee under the Land Revenue Rules, after cancelling the Inam tenures. The land may then be demarcated into sites of suitable dimensions and sold by auction for building purposes, provided that in the case of sites which have been already either sold or given out on long term leases and on which pukka houses have been already constructed, the sites may be confirmed to the present occupants ~~on~~ and a clear title given to them on recovery of a suitable upset price. It is expected that a sum of Rs.20,000/- may be realised by the sale of the sites as the land is well situated in a busy locality in close proximity to the Railway Station, and after deducting therefrom the fee recoverable under Section 63 of the Land Revenue Code for conversion of the land for non-agricultural purpose, a sum of about Rs.15,000 may be available for the Mutt. A portion of this amount may be utilized for repairing the present Mutt building and its premises and putting them into thorough order so that they may be useful for temporary accommodation of devotees and other travellers and the balance may be deposited in Government Savings Bank or invested in Government Securities and the interest realized therefrom utilised for the salary of the Pujari as also for services to be rendered, a regular scale of such expenditure being drawn up and sanctioned in the Muzrai Department and a set of Dharmadarsis also being appointed to supervise the building and to see that the services are properly performed.

3/12/26


Big line is boundary of S.No. 13. of Honnamakkenpura
Mud Boundary
G. marks Sites & Buildings belonging to Sri Pattabi Govindappa
J. -do- Jakappas House
Y. do- Muniyellappas Houses & Vacant plots
D. do- Davee Saibs House & Vacant plots
New House of Davee Saibs
Amaithracappanavara mata
SIDDAPPA'S
1 2 3 Sheds.
4 5 6
7 8 9
Goduraiahna mata
S. No. 13
Feeder channel
Sheds of Muniyellappas
Nagappa & Venkatappa's Sheds.
S. No. 16.
S. No. 12.
S. No. 14.
Vacant land
STABLES of DAVU SAIB
Govindappas Houses
Mill
Vacant land
To. Seshadripuram
To. Bangalore.
From Bangalore
Belongs to Sri.
Sheds
Bangalore Civ.